

UNITED STATES DISTRICT COURT
For the District of Delaware

United States Surety Company

V.

SUMMONS IN A CIVIL CASE

M. Miller Trucking et al.

CASE NUMBER : 05-675 GMS

TO: NELSON FREIGHT SERVICE, INC.
John Taratula
Registered Agent
P.O. Box 7
Peshtigo, WI 54157

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Donald R. Kinsley, Esq.
Marks, O'Neill, O'Brien & Courtney, P.C.
913 N. Market Street, Suite 800
Wilmington, DE 19801

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DEC 16 2005

DATE

Evelle Watson

(By) DEPUTY CLERK

RETURN OF SERVICE

| | |
|--|-----------------------|
| Service of the Summons and complaint was made by me(1) | DATE <u>12/27/05</u> |
| NAME OF SERVER (PRINT) <u>Donald R. Kinsley</u> | TITLE <u>Attorney</u> |

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:

- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

- ☐ Returned unexecuted:

Other (specify):

Continued mail Return receipt requested

STATEMENT OF SERVICE FEES

| | | |
|--------|----------|-------|
| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

1/3/06
Date

Signature of Server

Mark D'Neil O'Brien & Portney
913 N. Maple St. Suite 800
Wilmington DE 19801

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

| SENDER: COMPLETE THIS SECTION | | COMPLETE THIS SECTION ON DELIVERY | |
|---|--|--|--|
| <p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> | | <p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>Barbara Nelson</i></p> | |
| <p>1. Article Addressed to:</p> <p>John Taratula Registered Agent P.O. Box 7 Peshtigo, WI 54157</p> | | <p>B. Received by (Printed Name) <i>Barbara Nelson</i></p> <p>C. Date of Delivery</p> | |
| <p>2. Article Number (Transfer from service label)</p> | | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p> | |
| <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> | | <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> | |
| <p>PS Form 3811, August 2001</p> | | <p>Domestic Return Receipt</p> | |

DEC 27 2005

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102595-02-M-1540

| U.S. Postal Service™ | |
|--|----|
| CERTIFIED MAIL™ RECEIPT | |
| (Domestic Mail Only; No Insurance Coverage Provided) | |
| For delivery information visit our website at www.usps.com | |
| OFFICIAL USE | |
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |
| <p>Sent To <i>Nelson Freight Service, Inc.</i></p> <p>Street, Apt. No.; or PO Box No. <i>John Taratula</i></p> <p>City, State, ZIP+4</p> | |
| <p>PS Form 3800, June 2002</p> <p>See Reverse for Instructions</p> | |

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